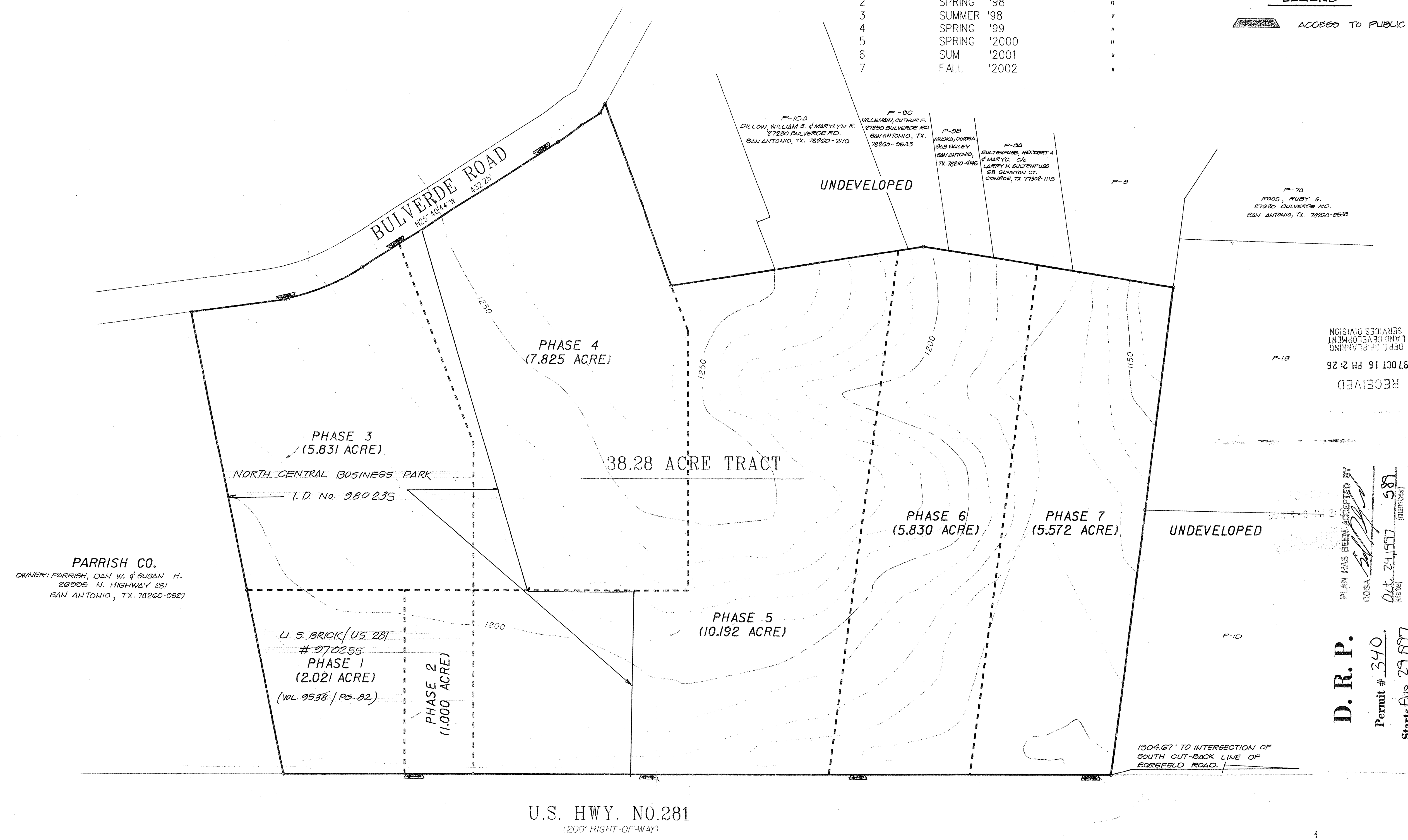


PHASE	COMPLETION DATE	PROPOSED USE
1	FALL '97	COMMERCIAL/RETAIL
2	SPRING '98	"
3	SUMMER '98	"
4	SPRING '99	"
5	SPRING '2000	"
6	SUM '2001	"
7	FALL '2002	"

LEGEND
ACCESS TO PUBLIC R.O.W.



PARRISH CO.
OWNER: PARRISH, DAN W. & SUSAN H.
26005 AL. HIGHWAY 281
SAN ANTONIO, TX. 78260-9887

RECEIVED
97 OCT 16 PM 2:26
DEPT. OF PLANNING
LAND DEVELOPMENT
SERVICES DIVISION

D. R. P.
PLAN HAS BEEN ACCEPTED BY
COSA
Permit # 340.
Starts Aug 27, 1997.
Expires April 24, 1999.
Issued by: GL

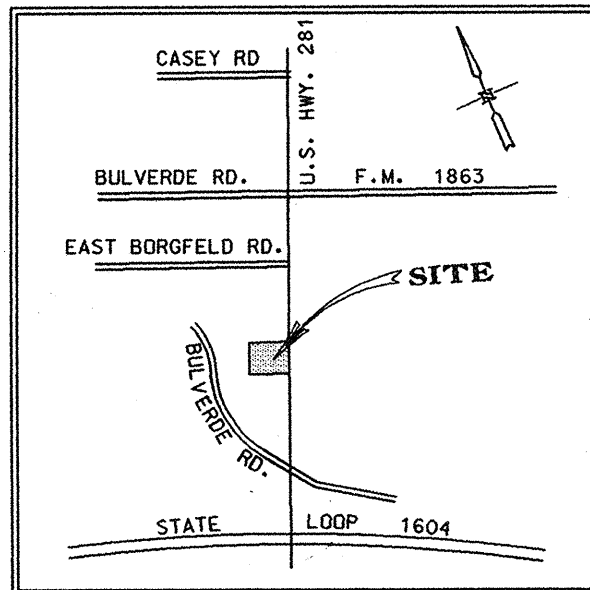
DEVELOPER: PROPERTIES
BASS PARTNERSHIP
70 N.E. LOOP 410
SAN ANTONIO, TEXAS 78216

MACINA • BOSE • COPELAND & ASSOC., INC.
CONSULTING ENGINEERS AND LAND SURVEYORS
415 Breesport Drive, San Antonio, Texas 78216
(201) 349-051 Fax (201) 349-9302

P.O.A.D.P.
BASS DEVELOPMENT

REVISIONS	DATE	NO.	DESCRIPTION	BY
1	08-15-97	1	ADDED ACCESS TO PUBLIC R.O.W.	M.C.
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VRP#04-09-179



LOCATION MAP
NOT TO SCALE

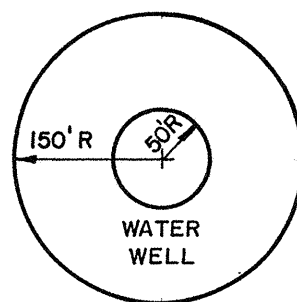
NOTES:

1. NO PORTION OF THIS SUBDIVISION IS LOCATED WITHIN THE RECHARGE ZONE OF THE EDWARDS AQUIFER.
2. ON THE DATE OF THIS SUBDIVISION PLAT SUBMITTAL THERE ARE NO PERMANENT BUILDING STRUCTURES OR IMPROVEMENTS, LOCATED WITHIN THE LIMITS OF THIS 2.021 ACRE TRACT.
3. ACCORDING TO THE FEDERAL INSURANCE RATE MAPS ISSUED BY F.E.M.A., NO PORTION OF THIS TRACT IS LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA.
4. LOT WILL HAVE PRIVATE WATER SYSTEM AND SEPTIC SYSTEM.
5. MONUMENTATION FOUND OR SET AT ALL PROPERTY CORNERS.

- (1) FOR RESIDENTIAL DEVELOPMENT DIRECTLY ADJACENT TO STATE RIGHT-OF-WAY, THE DEVELOPER SHALL BE RESPONSIBLE FOR ADEQUATE SET-BACK AND/OR SOUND ABATEMENT MEASURES FOR FUTURE NOISE MITIGATION.
- (2) OWNER/DEVELOPER IS RESPONSIBLE FOR PREVENTING ANY ADVERSE IMPACT TO THE EXISTING DRAINAGE SYSTEM WITHIN THE HIGHWAY RIGHT-OF-WAY.
- (3) MAXIMUM ACCESS POINTS TO STATE HIGHWAY FROM THIS PROPERTY WILL BE REGULATED AS DIRECTED BY "REGULATIONS FOR ACCESS DRIVEWAYS TO STATE HIGHWAYS"
- (4) ANY SIDEWALKS TO BE CONSTRUCTED WITHIN STATE RIGHT-OF-WAY ALONG FREEWAY FRONTAGE ROADS WILL BE LOCATED DIRECTLY TO THE RIGHT-OF-WAY LINE.

THIS PLAT DOES NOT AMEND, ALTER, RELEASE OR OTHERWISE AFFECT ANY EXISTING ELECTRIC, GAS, WATER, SEWER, DRAINAGE, TELEPHONE, CABLE EASEMENTS OR ANY OTHER EASEMENTS FOR UTILITIES UNLESS THE CHANGES TO SUCH EASEMENTS ARE DESCRIBED BELOW.

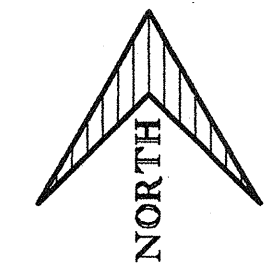
THE MINIMUM SETBACKS FROM ALL SEPTIC TANKS AND ALL ABSORPTION SYSTEMS TO ALL WATER WELLS SHALL BE 50' + 150 FEET RESPECTIVELY.



SANITARY CONTROL EASEMENT

A PERMIT FROM BEXAR COUNTY PUBLIC WORKS MUST BE OBTAINED PRIOR TO INSTALLING ANY SEPTIC SYSTEM.

At time of recording this instrument was found to be in compliance with the requirements of the Texas Public Information Act (Chapter 552, Texas Government Code, et seq.)



SCALE: 1" = 100'

BEARINGS BASED ON TXDOT RIGHT-OF-WAY MAPS.

Filed for Record in:
BEXAR COUNTY, TEXAS
GERRY RICHKOFF, COUNTY CLERK
On Oct 02 1997
At 3:31pm

Receipt #: 70685
Recording: 25.00
Doc/Reg: 6.00
Doc/Num: 97-0140932
Deputy: Jamie Sanchez

EXHIBIT

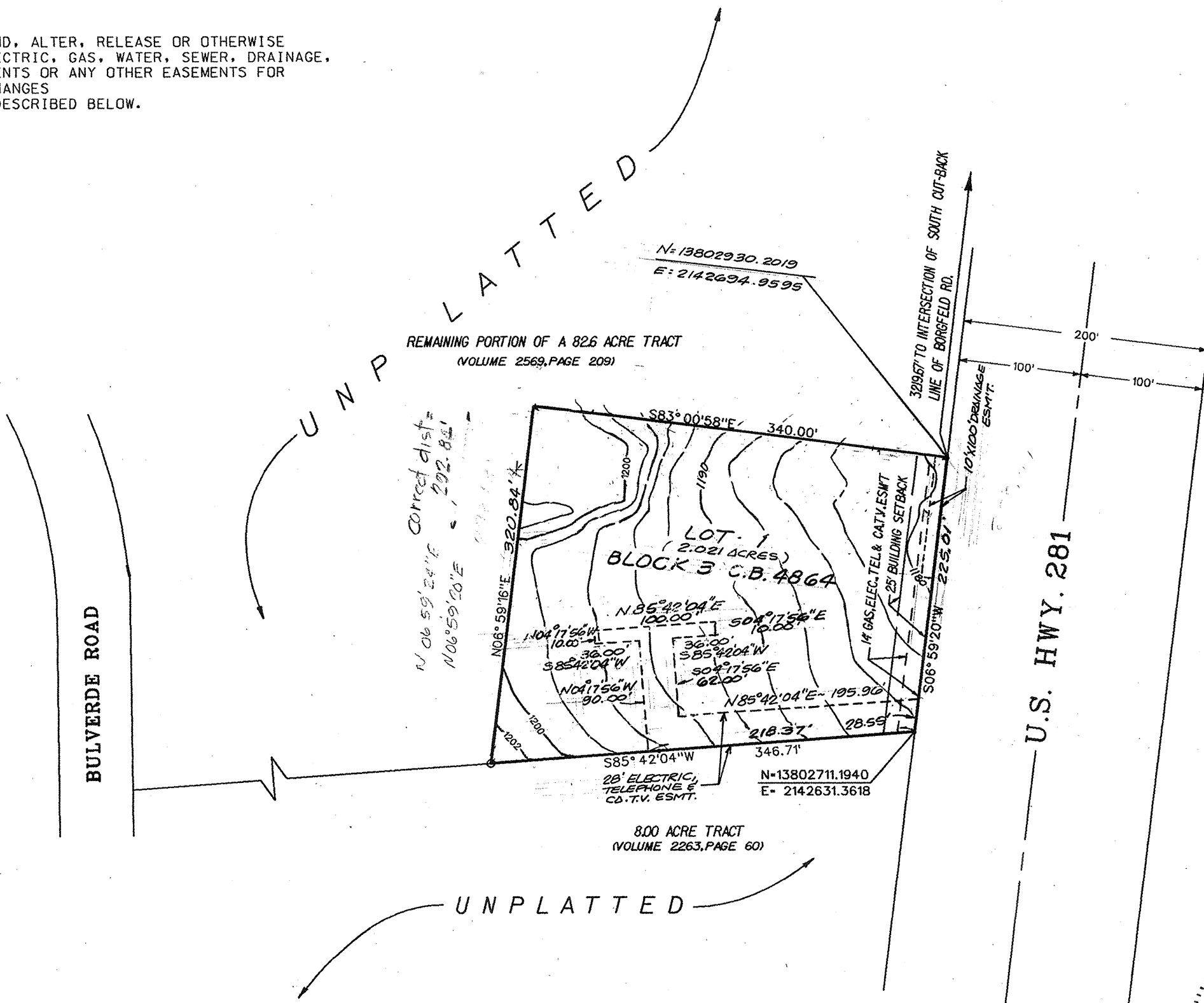
8

SUBDIVISION PLAT
ESTABLISHING

US BRICK / U.S. 281

970255

BEING A 2.021 ACRE TRACT OF LAND SITUATED IN THE GUADALUPE COLLEGE SURVEY NO. 416, ABSTRACT NO. 266, COUNTY BLOCK 4864, AND THE HENRY PENSHORN SURVEY NO. 366, ABSTRACT NO. 590, COUNTY, BLOCK 4863, BEXAR COUNTY, TEXAS.



OWNER: BASS PARTNERSHIP
(MR. ALAN BASS)
70 N.E. LOOP 410, SUIT 750
SAN ANTONIO, TEXAS 78216
(210) 366-5050

CERTIFICATE OF APPROVAL

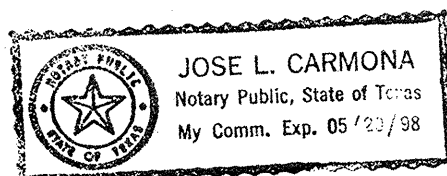
THE UNDERSIGNED, COUNTY JUDGE OF BEXAR COUNTY, TEXAS AND PRESIDING OFFICER OF THE COMMISSIONERS COURT OF BEXAR COUNTY, TEXAS, DOES HEREBY CERTIFY THAT THE ATTACHED PLAT WAS ONLY FILED WITH THE COMMISSIONERS COURT OF BEXAR COUNTY, TEXAS, AND THAT AFTER EXAMINATION IT APPEARS THAT SAID PLAT IS IN CONFORMITY WITH THE STATUTES, RULES AND REGULATIONS GOVERNING SAME, AND THAT THIS PLAT HAS BEEN APPROVED BY THE SAID COMMISSIONERS COURT.

ON THIS 16th DAY OF October, 1997
ATTESTED: *Paul Chigondo*
COUNTY JUDGE, BEXAR COUNTY, TEXAS
Genry Rickhoff
COUNTY CLERK, BEXAR COUNTY, TEXAS

MACINA, BOSE, COPELAND & ASSOCIATES, INC.
CONSULTING ENGINEERS
SAN ANTONIO, TEXAS
26855

NOTE: THE CITY OF SAN ANTONIO AS A PART OF ITS ELECTRIC AND GAS SYSTEM (CITY PUBLIC SERVICE BOARD) IS HEREBY DEDICATED THE EASEMENTS AND RIGHT-OF-WAY FOR ELECTRIC AND GAS DISTRIBUTION AND SERVICE FACILITIES IN THE AREAS DESIGNATED ON THIS PLAT AS "ELECTRIC EASEMENT", "GAS EASEMENT", "ANCHOR EASEMENT", "SERVICE EASEMENT", "OVERHAND EASEMENT", "UTILITY EASEMENT", AND "TRANSFER EASEMENT" FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, RECONSTRUCTING, MAINTAINING, REMOVING, INSPECTING, PATROLLING, AND ERECTING POLES, HANGING OR BURYING WIRES, CABLES, CONDUITS, PIPELINES OR TRANSFORMERS, EACH WITH ITS NECESSARY APPURTENANCES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER GRANTOR'S ADJACENT LAND, THE RIGHT TO RELOCATE SAID FACILITIES WITHIN SAID EASEMENT AND RIGHT-OF-WAY AREAS, AND THE RIGHT TO REMOVE FROM SAID LANDS ALL TREES OR PARTS THEREOF, OR OTHER OBSTRUCTIONS WHICH ENDANGER OR MAY INTERFERE WITH THE EFFICIENCY OF SAID LINES OR APPURTENANCES THEREOF. IT IS AGREED AND UNDERSTOOD THAT NO BUILDINGS, CONCRETE SLABS, OR WALLS WILL BE PLACED WITHIN SAID EASEMENT AREAS.

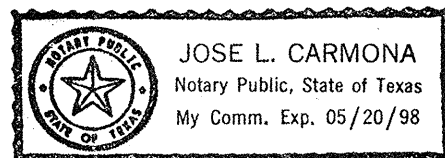
ANY CPS MONETARY LOSS RESULTING FROM MODIFICATIONS REQUIRED OF CPS EQUIPMENT, LOCATED WITHIN SAID EASEMENT DUE TO GRADE CHANGES OR GROUND ELEVATION ALTERATIONS SHALL BE CHARGED TO THE PERSON OR PERSONS DEEMED RESPONSIBLE FOR SAID GRADE CHANGES OR GROUND ELEVATION ALTERATION.



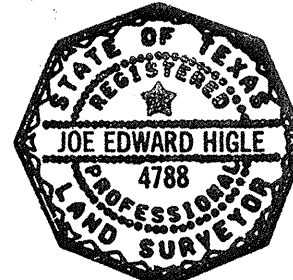
STATE OF TEXAS
COUNTY OF BEXAR
THE OWNER OF THE LAND SHOWN ON THIS PLAT IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATES TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.
Alan Bass
OWNER
STATE OF TEXAS
COUNTY OF BEXAR
DULY AUTHORIZED AGENT
BEFORE ME THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED
ALAN BASS KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 27th DAY OF MAY, A.D. 19 97
Jose L. Carmona
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



STATE OF TEXAS
COUNTY OF BEXAR
I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAT TO THE MATTERS OF STREETS, LOTS, AND DRAINAGE LAYOUT AND TO THE BEST OF MY KNOWLEDGE THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE UNIFIED DEVELOPMENT CODE, EXCEPT FOR THOSE VARIANCES GRANTED BY THE PLANNING COMMISSION OF THE CITY.
David L. Allen, P.E.
REGISTERED PROFESSIONAL ENGINEER
SWORN TO AND SUBSCRIBED BEFORE ME THIS 22nd DAY OF APRIL, A.D. 19 97
Jose L. Carmona
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
My Comm. Exp. 05/20/98



STATE OF TEXAS
COUNTY OF BEXAR
I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE ON THE GROUND UNDER MY SUPERVISION.
Joe Edward Hagle
REGISTERED PROFESSIONAL LAND SURVEYOR
SWORN TO AND SUBSCRIBED BEFORE ME THIS 14th DAY OF May, A.D. 19 97
Jose L. Carmona
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
THIS PLAT OF U.S. BRICK / U.S. 281 HAS BEEN SUBMITTED TO THE CITY OF SAN ANTONIO, TEXAS AND IS HEREBY APPROVED BY THE DIRECTOR OF PLANNING IN ACCORDANCE WITH V.T.C.A., LOCAL GOVERNMENT CODE SECTION 212.0065.
DATED THIS 26th DAY OF Aug. A.D. 1997
BY *Bill Seifert*
DIRECTOR OF PLANNING



STATE OF TEXAS
COUNTY OF BEXAR
I, *Genry Rickhoff* COUNTY CLERK OF SAID COUNTY, DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE ON THE 2nd DAY OF October, A.D. 19 97 AT 3:31pm, AND DULY RECORDED THE 3rd DAY OF October, A.D. 19 97 AT 12:00pm. IN THE RECORDS OF SAID COUNTY, IN BOOK VOLUME 9538 ON PAGE 82. IN TESTIMONY WHEREOF, I WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE, THIS 3rd DAY OF October, A.D. 19 97
Edwards
COUNTY CLERK, BEXAR COUNTY, TEXAS
BY: *Edwards* DEPUTY

980235

SUBDIVISION PLAT
ESTABLISHING
NORTH CENTRAL BUSINESS PARK

BEING A 3.601 ACRE TRACT OF LAND SITUATED IN THE GUADALUPE COLLEGE SURVEY NO. 416, ABSTRACT NO. 266, COUNTY BLOCK 4864, WHICH IS OUT OF A PORTION OF A 82.6 ACRE TRACT DESCRIBED IN VOLUME 2569, PAGE 209, REAL PROPERTY RECORDS OF BEXAR COUNTY, TEXAS.

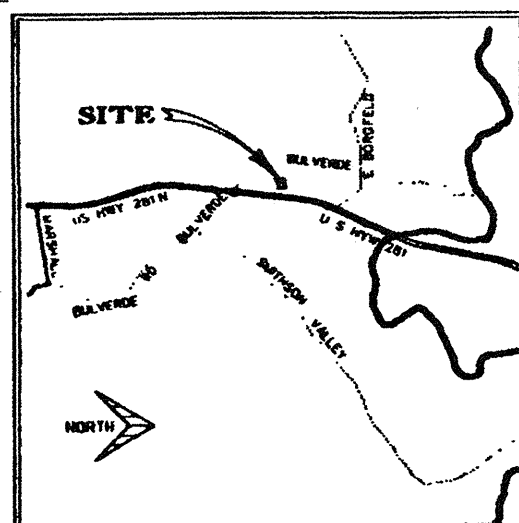


SCALE: 1" = 100'

BEARINGS BASED ON THE EAST
RIGHT OF WAY LINE OF BULVERDE
ROAD AS BEING AS BEING N25°44'09"W.

LEGEND:

EXIST. ---	EXISTING
ELEC. ---	ELECTRIC
TEL. ---	TELEPHONE
CATV ---	CABLE TELEVISION
SAW. SWR. ---	SANITARY SEWER
ESM'T. ---	EASEMENT
R.O.W. ---	RIGHT-OF-WAY
BLDG. ---	BUILDING
N.C.B. ---	NEW CITY BLOCK
BLK. ---	BLOCK
E.T.A. CATV ESM'T. ---	ELECTRIC, TELEPHONE, A CABLE TELEVISION EASEMENT
○	IRON ROD FOUND
□	IRON ROD SET
—	FOUND CONCRETE MONUMENT

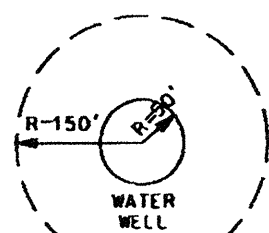


LOCATION MAP
NOT TO SCALE

CURVE DATA						
NO.	RADIUS	DELTA	TANGENT	LENGTH	CHORD	CHD. DIST.
1	450.00'	12°13'06"	46.02'	91.70'	N19°37'36"W	91.52'
2	443.00'	12°11'42"	47.32'	94.29'	N19°38'18"W	94.11'

NOTES:

1. NO PORTION OF THIS SUBDIVISION IS LOCATED WITHIN THE RECHARGE ZONE OF THE EDWARDS AQUIFER.
2. ON THE DATE OF THIS SUBDIVISION PLAT SUBMITTAL THERE ARE NO PERMANENT BUILDING STRUCTURES OR IMPROVEMENTS, LOCATED WITHIN THE LIMITS OF THIS 3.601 ACRE TRACT.
3. ACCORDING TO THE FEDERAL INSURANCE RATE MAPS, ISSUED BY F.E.M.A., NO PORTION OF THIS TRACT IS LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA.
4. LOT WILL HAVE PRIVATE WATER SYSTEM AND SEPTIC SYSTEM.
5. MONUMENTATION FOUND OR SET AT ALL PROPERTY CORNERS.



SANITARY SEWER EASEMENT

A PERMIT FROM BEXAR COUNTY PUBLIC WORKS MUST BE OBTAINED PRIOR TO INSTALLING ANY SEPTIC TANK.

THE MINIMUM SETBACKS FROM ALL SEPTIC TANKS AND ALL ABSORPTION SYSTEMS TO ALL WATER WELLS SHALL BE 50 AND 150 FEET RESPECTIVELY.

I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE THAT AT THE TIME OF PLANNING COMMISSION APPROVAL, A PORTABLE SEWER WATER SYSTEM WHICH MEETS THE CURRENT STANDARDS AS ESTABLISHED BY THE TEXAS DEPARTMENT OF HEALTH FOR DRINKING WATER SUPPLY FOR EACH LOT AND EACH PORTION OF A LOT OF SUFFICIENT QUANTITY TO SUPPLY THE DOMESTIC NEEDS OF THE IMPROVEMENTS TO BE CONSTRUCTED ON THE INDIVIDUAL LOTS WITHIN THE SUBDIVISION, EXISTING OR TO BE CONSTRUCTED, IS IN COMPLIANCE WITH THE RULES AND REGULATIONS OF THE TEXAS DEPARTMENT OF HEALTH.

Jose L. Carmona
REGISTERED PROFESSIONAL ENGINEER

SHOWN AND SUBSCRIBED BEFORE ME THIS 8 DAY OF April A.D. 1999
Jose L. Carmona
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

CERTIFICATE OF APPROVAL

THE UNDERSIGNED, COUNTY JUDGE OF BEXAR COUNTY, TEXAS AND PRESIDING OFFICER OF THE COMMISSIONERS COURT OF BEXAR COUNTY, TEXAS, DOES HEREBY CERTIFY THAT THE ATTACHED PLAT WAS FILED WITH THE COMMISSIONERS COURT OF BEXAR COUNTY, TEXAS, AND THAT AFTER EXAMINATION IT APPEARS THAT SAID PLAT IS IN COMPLIANCE WITH THE STATUTES, RULES AND REGULATIONS GOVERNING SAME, AND THAT THIS PLAT HAS BEEN APPROVED BY THE SAID COMMISSIONERS COURT.

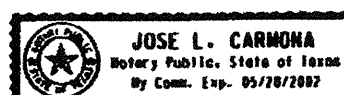
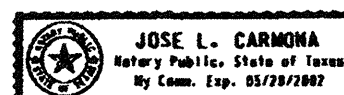
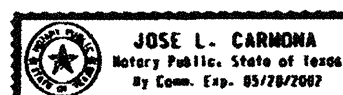
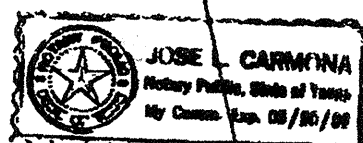
ON THIS 18 DAY OF May 1999
ATTESTED: *David L. Allen*
COUNTY CLERK, BEXAR COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF BEXAR
THE OWNER OF THE LAND SHOWN ON THIS PLAT IN PERSON OR THROUGH A duly AUTHORIZED AGENT, HEREBY CERTIFIES TO THE PUBLIC FOREVER ALL STREETS, ALLEYS, PUBLIC WATER COURSES, DRAINAGE, EASEMENTS AND PUBLIC PLACES THEREIN SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

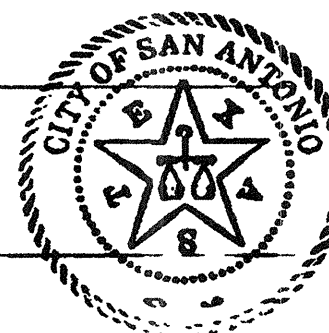
STATE OF TEXAS
COUNTY OF BEXAR
DULY AUTHORIZED AGENT

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED **ALAN BASS** KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

SEVEN UNDER MY HAND AND SEAL OF OFFICE THIS 8 DAY OF April A.D. 1999
Jose L. Carmona
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



U.S. HWY. 281



9543-172

OWNER/DEVELOPER
BASS PROPERTIES
200 CONCORD PLAZA SUITE 525
SAN ANTONIO, TX. 78216
(210) 826-9600



MACNA, BOSE, COPELAND & ASSOCIATES, INC.
CONSULTING ENGINEERS AND LAND SURVEYORS
45 Breesport Drive, San Antonio, Texas 78226
27269

THIS PLAT OF NORTH CENTRAL BUSINESS PARK HAS BEEN SUBMITTED TO THE CITY OF SAN ANTONIO, TEXAS AND IS HEREBY APPROVED BY THE DIRECTOR OF PLANNING IN ACCORDANCE WITH V.T.C.A. LOCAL GOVERNMENT CODE SECTION 212.0005.

DATED THIS 24 DAY OF May A.D. 1999
Director of Planning
DIRECTOR OF PLANNING

NOTES:
THE CITY OF SAN ANTONIO AS A PART OF ITS ELECTRIC AND GAS SYSTEM (CITY PUBLIC SERVICE BOARD) IS HEREBY DEDICATED THE EASEMENTS AND RIGHTS OF WAY FOR ELECTRIC AND GAS DISTRIBUTION AND SERVICE FACILITIES IN THE AREA DESIGNATED ON THIS PLAT AS "ELECTRIC EASEMENT", "GAS EASEMENT", "ANCHOR EASEMENT", "SERVICE EASEMENT", "TOWNSHIP EASEMENT", "UTILITY EASEMENT", "TRANSFORMER EASEMENT" FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, RECONSTRUCTING, MAINTAINING, REPAIRING, IMPROVING, PATROLLING, AND OPERATING POLES, HANGERS, OR HAVING HUNG, CABLES, CONDUITS, PIPELINES OR TRANSDUCERS, EACH WITHIN ITS NECESSARY APPURTENANCES TOGETHER WITH THE RIGHT OF EGRESS OVER GRANTOR'S ADJACENT LAND, THE RIGHT TO RELOCATE SAID FACILITIES WITHIN SAID EASEMENT AND RIGHT-OF-WAY AND, AND THE RIGHT TO REMOVE FROM SAID LANDS ALL TREES OR PORTS THEREOF, OR OTHER OBSTRUCTIONS WHICH CHANGING OR MAY INTERFERE WITH THE EFFICIENCY OF SAID LINES OR APPURTENANCES THEREOF. IT IS AGREED AND UNDERSTOOD THAT NO BUILDINGS, CONCRETE SLABS, OR WALLS WILL BE PLACED WITHIN SAID EASEMENT AREAS.

ANY OFF-HIGHWAY LOSS RESULTING FROM MODIFICATIONS REQUIRED OF CIP EASEMENT, LOCATED WITHIN SAID EASEMENT DUE TO GRADE CHANGES OR GROUND ELEVATION ALTERATIONS SHALL BE CHARGED TO THE PERSON OR PERSONS DEEMED RESPONSIBLE FOR SAID GRADE CHANGES OR GROUND ELEVATION ALTERATIONS. THIS PLAT DOES NOT MEAN, ALTER, RELEASE OR OTHERWISE IMPAIR ANY EXISTING ELECTRIC, GAS, WATER, SEWER, DRAINAGE, TELEPHONE, CABLE EASEMENTS OR ANY OTHER EASEMENTS FOR UTILITIES UNLESS THE CHANGES TO SUCH EASEMENTS ARE DESCRIBED BELOW.

NOTE:
WATER ECU NOTE: THE NUMBER OF WASTEWATER EQUIVALENT DWELLING UNITS (EDU) PAID FOR THIS SUBDIVISION PLAT AND REPLY ON FILE AT THE SAN ANTONIO WATER SYSTEM UNDER THE PLAT NUMBER ISSUED BY THE PLANNING DEPARTMENT.

STATE OF TEXAS
COUNTY OF BEXAR
1. **GERRY RICKHOFF** COUNTY CLERK OF SAID COUNTY.
DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE ON THE 18 DAY OF May A.D. 1999 AT 2:26 PM. I RECEIVED THE SAME ON MAY 18 A.D. 1999 AT 2:26 PM. IN THE RECORDS OF DEEDS & PLATS OF SAID COUNTY, IN BOOK VOLUME 9543 OF PAGE 172. IN TESTIMONY WHEREOF, MYSELF BY HAND AND OFFICIAL SEAL OF OFFICE, THIS 24 DAY OF May A.D. 1999

COUNTY CLERK, BEXAR COUNTY, TEXAS
BY *Gerry Rickhoff* DEPUTY



Permit File # 04-09-179



City of San Antonio
Development Services Department
Vested Rights Permit/Consent Agreement
APPLICATION

Permit File: # 04-09-179
Assigned by city staff

Date: September 17, 2004

☒ **Vested Rights Permit**

☐ **Consent Agreement**

1. All applicable information on application must be legibly printed or typed for processing. *If application is completed on behalf of the property owner please attach power of attorney or letter of agent.*
2. Please complete subject of application and attach 2 sets of all applicable documents (i.e. this application, Master Development Plan, P.U.D. plan, plat application, approved plat, building permit) along with appropriate fee.

*Note: All Applications must comply with the Unified Development Code (UDC),
Section 35-B124 Vested Rights Determination for the City of San Antonio.*

04 SEP 20
M 10:34
CITY OF SAN ANTONIO
DEPT. OF PLANNING
OFFICE OF DIRECTOR

(a) Owner/Agent: Kenneth W. Brown, AICP; Brown, P.C. (Agent)

Phone: (210) 299-3704 Fax: (210) 299-4731

Address: 112 E. Pecan St., Suite #1490

City: San Antonio State: Texas Zip code: 78205

Engineer/Surveyor: Macina, Bose, Copeland and Associates, Inc.

Address: 1035 Central Parkway North Phone#: (210) 545-1122

City: San Antonio State: Texas Zip code: 78232

(b) Name of Project: "Bass POADP #589"

(c) (k) Site location or address of Project and Legal description:

38.280 acre tract near the intersection of U.S. Highway 281 and
Bulverde Rd., as described on attached COSA POADP #589.

Permit File # 04-09-179

Council District 9 ETJ No Over Edward's Aquifer Recharge? () yes (x) no

3. What is the specific Project and the expected use(s) to be created by this Project (type of development, number of buildings, type of building(s), specific use(s) of those buildings, etc.)? *Please be aware that the city must understand exactly what this Project is expected to accomplish in order to evaluate this application.*

(d) Total land use, in square feet 38.280 acres, (1,667,476.80 sq. ft.)

(e) Total area of impervious surface, in square feet 1,534,078.60 sq. ft.

(f) Number of residential dwellings units, by type; N/A

(g) Type and amount of non-residential square footage; 416,869.20 sq. ft.

(h) Phases of the development, (If Applicable); N/A

4. What is the date the applicant claims rights vested for this Project? October 24, 1999

(i) Verified or certified copies of all development permits, contracts, appraisals, reports, correspondence, letters, or other documents or materials upon which the Applicant's claim for vested rights or equitable estoppel is based;

In addition to the required processing as set forth above, an Application for Consent Agreement Approval shall include, but shall not be limited to the following: a timing and phasing plan for the proposed development; a plan for the provision of public facilities and services to the proposed development, by phase; the conditions under which the proposed development will be authorized to proceed; and the conditions under which approvals or permits will lapse or may be revoked. A document shall be considered "verified" or "certified", whether an original or a copy, if it is signed by the official with decision making authority for the permit application."

- 4 a. What, if any, construction or related actions have taken place on the property since that date?

The subject property (38.280) acres is wholly referenced by
POADP #589, which has been subsequently ratified by COSA Plat
No. 970255 and Plat No. 980235.

5. By what means does the applicant claim rights vested for this Project? *Please specify all that may be applicable.*

• PERMIT

Type of Permit: _____ Date of Application: _____

Permit Number: _____ Date issued: _____

Expiration Date: _____ Acreage: _____

Permit File # 04-09-179

• **MASTER DEVELOPMENT PLAN (MDP)** (Formerly POADP)*

accepted prior to September 1, 1997 are subject to permit right conditions within 18 months from the effective date of the development rights ordinance (9/25/97) and projects submitted after September 1, 1997 are subject to 18 months for the POADP acceptance date.

Name: Bass Development (POADP) # 589

Date accepted: 10/24/97 Expiration Date: 4/24/99 MDP Size: 38.280 acres

• **P.U.D. PLAN**

Name: _____ # _____

Date accepted: _____

• **Plat Application**

Plat Name: _____ Plat # _____ Acreage: _____

Date submitted: _____ Expiration Date: _____

(Note: Plat must be approved within 18 months of application submittal date).

• **Approved Plat**

Plat Name: "US Brick/U.S. 281" Plat # 970255 Acreage: 2.021

Date: 8/26/97 Plat recording Date: 10/3/97 Expiration Date: _____ Vol./Pg. 9538/82

(Note: If plat is not recorded within 3 years of plat approval permit rights will expire).

• **Other**

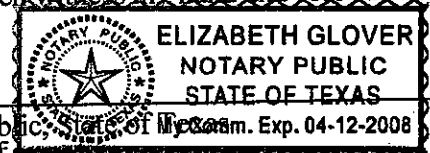
Additional Approved Plat: COSA Plat No. 980235 (3.601 acres approved on 4/22/99).*

NOTE: Filing a knowingly false statement on this document, or any attached document, is a crime under §37.02 and §37.10 of the Texas Penal Code, punishable as a state jail felony by up to two years in jail and fine of up to \$10,000.

I hereby certify that all information this Application and the attached documents is true and correct and that it is my belief the property owner is entitled to Vested Rights for this Project.

Print name: Kenneth W. Brown Signature: [Signature] Date: 9/22/04

Sworn to and subscribed before me by Kenneth W. Brown on this 12th day of September in the year 2004, to certify which witness my hand and seal of office.



* see attached correspondence for additional information

7/29/04

City of San Antonio use

Permit File: # 04-09-179

Assigned by city staff

Date: 10/21/04

☒ **Approved**

☐ **Disapproved**

Review By: _____


Development Services Department

Date: _____

Comments: As per City attorney comments the application is approved as requested. As of November 24, 1997, provided that the applicant identifies a project that conforms to POADP #589. The application is for vesting of a POADP without identifying a specific project to a specific tract of land within the POADP. At such time as the applicant may identify a specific project that complies with the POADP, the project can be vested to the above date provided that the POADP does not expire by operation of law.

BROWN, P.C.

Attorneys at Law

112 E. Pecan Street
Suite 1490
SAN ANTONIO, TEXAS 78205
(210) 299-3704 Phone
(210) 299-4731 Fax

September 17, 2004

Mr. Michael Herrera
Development Services Department
City of San Antonio
1901 S. Alamo, 2nd Floor
San Antonio, Texas 78204

Via Hand Delivery

04 SEP 20 AM 10:35
CITY OF SAN ANTONIO
DEPT. OF PLANNING
OFFICE OF DIRECTOR

Mr. Norbert Hart
City Attorney's Office
City of San Antonio
1901 S. Alamo, 2nd Floor
San Antonio, Texas 78204

Via Hand Delivery

RE: Vested Rights For That Certain 38.280-Acre Project Near U.S. Highway 281 and Bulverde Rd. in San Antonio, Bexar County, Texas; Our File No. 9049.001

Dear Messrs. Herrera and Hart:

This request is made pursuant to the applicable "Vested Rights" provisions of the City of San Antonio's (COSA) Unified Development Code (the "UDC")¹ and "Issuance of Local Permits" provisions of Chapter 245 of the Texas Local Government Code (the "Local Government Code").² More specifically, this application requests confirmation of statutory vested rights pursuant to § 35-711(b)(2) of the UDC and Chapter 245 of the Local Government Code based on the following documents:

- (i) Preliminary Overall Area Development Plan (POADP) accepted by the COSA Department of Planning on October 24, 1997 (Exhibit A: POADP #589);
- (ii) Plat No. 970255 ("US Brick/U.S. 281") approved by the COSA Planning Director on August, 26, 1997 and recorded in Bexar County Deed Records as Volume 9538, Page 82 (Exhibit B: Plat No. 970255); and,
- (iii) Plat No. 980235 ("North Central Business Park") approved by the COSA Planning Director on April 22, 1999 and recorded in Bexar County Deed Records as Volume 9543, Page 172 (Exhibit C: Plat No. 980235).

Development History

The subject of this application is a 38.280-acre tract located near the intersection of U.S. Highway 281 and Bulverde Rd. (the "subject property"). The subject property is wholly included within the above-referenced POADP #589 (*see* Exhibit A) and is legally described as provided therein. The

¹ See SAN ANTONIO, TEX., UNIFIED DEV. CODE ch. 35, art. VII, div. 2 (2001).

² See TEX. LOC. GOV'T CODE ANN. tit. 7, § 245.001-.006 (1999).

development project called for by POADP #589 is a "commercial/retail" development (the "subject project").

POADP #589 was initially validated by the COSA Planning Director's approval of Plat No. 970255 ("US Brick/U.S. 281") on August 26, 1997 (*see* Exhibit B). Moreover, POADP #589 has remained in "progress"³ as evidenced by the COSA Planning Director's approval of Plat No. 980235 ("North Central Business Park") on April 22, 1999.

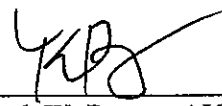
Statutory Vested Rights (UDC art. 7, div. 2, § 35-711(b)(2))

The subject property is 38.280 acres located near the intersection of U.S. Highway 281 and Bulverde Rd. and is legally described as provided in Exhibit A. COSA's acceptance of POADP #589 took place on October 24, 1997. Such acceptance was a necessary first step required to develop the subject property for the "commercial/retail" uses referenced therein. POADP #589 wholly includes the subject property and project, and POADP #589 was the first permit of a series of permits required for the development of the subject commercial/retail project. The subject project is not "dormant," as defined by § 245.005 of the Local Government Code and § 35-711(b)(2)(B) of the UDC, because progress toward its completion is evidenced by (i) COSA Plat No. 970255 (*see* Exhibit B) and (ii) COSA Plat No. 980235 (*see* Exhibit C). Finally, the regulations against which statutory vested rights are sought are not subject to an exemption as provided in § 35-711(b)(2)(B) of the UDC and § 245.004 of the Local Government Code. Therefore, on behalf of my client, Bass Properties, L.P., I respectfully request that COSA acknowledge that the subject commercial project on the subject 38.280-acre tract is vested as of October 24, 1997 by virtue of satisfying all the requirements of "statutory vested rights" as defined by § 35-711(b)(2) of the UDC and Chapter 245 of the Local Government Code.

As required by § 35-712(b)(1) of the UDC, attached please find the \$160.00 filing fee associated with this application. Thank you for your consideration of this matter, and please do not hesitate to contact me should you have any questions regarding the same.

Sincerely,

BROWN, P.C.

BY: 
Kenneth W. Brown, AICP

KWB/do

Encl.: COSA POADP #589 (Exhibit A)
COSA Plat No. 970255 (Exhibit B)
COSA Plat No. 980235 (Exhibit C)

CITY OF SAN ANTONIO
DEPT. OF PLANNING
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04 SEP 20 AM 10:35

³ TEX. LOC. GOV'T CODE ANN. § 245.005; SAN ANTONIO, TEX., UNIFIED DEV. CODE § 35-711(b)(2)(B).

CITY OF SAN ANTONIO
DEPT. OF PLANNING
OFFICE OF DIRECTOR

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1123

BROWN, P.C.
112 E. PECAN, STE 1490
SAN ANTONIO, TX 78205

DATE 9/17/04

88-2199/1140
15

PAY
TO THE
ORDER OF

City of San Antonio

\$ 160.⁰⁰/₁₀₀

DOLLARS



BROADWAY BANK
P.O. Box 17001 • San Antonio, Texas 78217
(210) 283-6500 • (800) 531-7650

FOR

BASS VLS ~~400~~ # ~~345~~ 589

⑈0001123⑈ ⑆1111021933⑆

⑈0454877⑈

[Signature]

MP



City of San Antonio
Development Services Department
Vested Rights Permit Application
Completeness Review



*Note: All Applications must comply with the Unified Development Code (UDC),
Section 35-B124 Vested Rights Determination for the City of San Antonio.*

Required Items: Section 35-B124, Vested Rights' Determination

An Application for a Vested Rights Determination shall be made by the Applicant on a form established for such purpose and provided by the City and shall contain at least the following information:

1. Appropriate filing fee.
2. Section 35-B124
 - (a) Name and address of Applicant;
 - (b) Project description and name of subdivision or development, if applicable;
 - (c) Location of development;
 - (d) Total land area, in square feet;
 - (e) Total area of impervious surface, in square feet;
 - (f) Number of residential dwelling units, by type;
 - (g) Type and amount of non-residential square footage;
 - (h) Phases of the development, if applicable;
 - (i) Verified or certified copies of all development permits, contracts, appraisals, reports, correspondence, letters, or other documents or materials upon which the Applicant's claim for vested rights or equitable estoppel is based;
 - (j) A Sworn Statement, in a form prescribed by the City, and signed by the Applicant; and
 - (k) A legal description of the Property

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DEPT. OF PLANNING
OFFICE OF DIRECTOR
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In addition to the required processing as set forth above, an Application for Consent Agreement Approval shall include, but shall not be limited to the following:

- a timing and phasing plan for the proposed development;
- a plan for the provision of public facilities and services to the proposed development, by phase; the conditions under which the proposed development will be authorized to proceed;
- and the conditions under which approvals or permits will lapse or may be revoked.

A document shall be considered "verified" or "certified", whether an original or a copy, if it is signed by the official with decision making authority for the permit application."

☒ **Accepted**

☐ **Rejected**

Completeness Review By: [Signature]

Date: 04-09-179